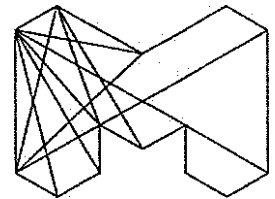


Confirmed minutes



CITY OF MELBOURNE

Future Melbourne Committee Minutes

**Meeting Number 47
Tuesday 22 November 2022
6.00pm**

Cliftons Melbourne – Freshwater Place, Southbank

Present

Lord Mayor Sally Capp (Chair)
Deputy Lord Mayor Nicholas Reece
Councillor Dr Olivia Ball (via Zoom)
Councillor Elizabeth Doidge
Councillor Davydd Griffiths
Councillor Jamal Hakim
Councillor Philip Le Liu
Councillor Rohan Leppert (via Zoom)
Councillor Kevin Louey

Apologies

Councillor Roshena Campbell
Councillor Jason Chang

Confirmed at the meeting of the Future Melbourne Committee
On Tuesday 6 December 2022

Confirmed minutes

1. Commencement of meeting and apologies

The meeting commenced at 6.00pm.

The Chair, Lord Mayor Sally Capp, advised that:

- the meeting was being streamed live and that an audio and video recording would be made available on the City of Melbourne website before close of business Wednesday 23 November.
- the agenda comprises of seven reports from management
- apologies had been received from Councillor Campbell and Councillor Chang

2. Disclosures of conflicts of interest

The Lord Mayor asked that conflicts of interest be disclosed as they arise.

3. Confirmation of minutes of the previous meeting

Moved: Deputy Lord Mayor Nicholas Reece

That the minutes of meeting No 46, held on Tuesday 8 November 2022, be confirmed.

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

4. Matters arising from the minutes of the previous meetings

There were no matters arising from the minutes of the previous meeting.

5. Public questions

Development of Dodds Street

Sara Riva submitted the following written question:

Now that Southbank Boulevard is almost complete, when is the development of Dodds Street supposed to start and finish?

The Lord Mayor, City Transport, Infrastructure and Operations Portfolio Lead thanked Sara for the question and read out a response provided by Jonathan Kambouris, Director City Projects:

Tender evaluation of a preferred contractor for the Dodd St Landscape Works has now been completed, and Council will consider a report from Management next week. With Council approval of the preferred contractor, construction will begin in January 2023 and will run for 12 months. The project comprises high quality paved areas; mounded grasslands and swales with native planting and trees; civic meeting spaces with seating walls and features and public lighting.

Assisting persons experiencing homelessness

Adam Vince submitted the following written question:

As the Council is fully aware, we have a nuisance individual who has called Queensbridge Square home for approx 1 year now. This individual plays loud music which disrupts nearby residents trying to enjoy the peace and quiet of their homes. I even know of a few Residents that have sold up and moved out of Southbank recently due to this individual and the nuisance he creates.

We understand that being homeless is not a crime, but this one individual seems to get away with defacing council property by way of graffiti, begging etc. which is a crime as I understand it. The makeshift home he has set up at times is also a poor look for the area.

What are the next steps in assisting this individual, and cleaning up Queensbridge Square in general? These days, it appears clean when you are in the area with the media.

Confirmed minutes

Cr Dr Ball, Health, Wellbeing and Belonging Portfolio Lead thanked Adam for the question and read out a response provided by Dean Robertson, Director City Safety, Security and Amenity:

Adam, thank you for your question and concern for people experiencing homelessness and the impact that they can have on the amenity of the area in which you work and live. We are aware of issues in and around Queensbridge Square and are taking action on this area.

The City of Melbourne has a dedicated team who patrol and engage with people experiencing homelessness and sleeping rough seven days a week. This team refers people to support services and ensures the amenity of areas are not negatively impacted, which includes ensuring belongings are kept to what's essential, that access and thoroughfares are maintained and that behaviours are compliant with relevant laws and standards.

Further, the team regularly engage with and work with Victoria Police on particular issues if things are of a criminal nature, including graffiti and anti-social behaviour. If anyone witnesses criminal activity we encourage them to contact Victoria Police for their response.

I understand you spoke to a member of our team this morning and he has followed up with you via email and is interested to meet with you and other concerned people. We look forward to these discussions continuing.

Stage Six (City Rd to Queensbridge Square)

Jeremy Vincent asked the following question on behalf of Tim Bracher who submitted a written question but could not attend the meeting:

The Yarra River Business Association wishes to thank Council for its work to date on the transformation of Southbank Boulevard, but is a little bemused about the claim that the project is completed. Stage 6 of the original project was designed to connect the gardens with the river, yet it seems to have quietly dropped off the project agenda.

We understand that Beulah International's plans may have complicated stage 6 of the project, but could the business community at least get Council to agree in the short term to remove or significantly modify the eyesore of the red steps in Queensbridge Square, which has suffered from maintenance neglect for many years, and the structure has failed its original purpose.

The Lord Mayor, City Transport, Infrastructure and Operations Portfolio Lead thanked Jeremy and Tim for the question and read out a response provided by Jonathan Kambouris, Director City Projects:

The development and delivery of Stage 6 (City Rd to Queensbridge Square) is being coordinated with adjacent developments in order to ensure that disruption to the surrounding precinct and suburb is minimised, and projects are delivered collaboratively so we can maximise the benefits of resources, work time and ultimately benefits to the community. We will keep the community up to date with this stage of the Southbank Boulevard Transformation, and will provide more information once planning commences.

The Lord Mayor noted that Council will be more proactive in keeping residents up to date with the progress of works. Council will come back to residents for feedback on the red steps and will review if there is something that can be done in the interim.

Undercroft basketball court

Jannine Pattison asked the following question:

I stand here before you on behalf of the Southbank community to address the lack of community facilities and the impact on residents when these were ripped away by developers. Southbank was delighted two years ago when the basketball half court was opened and every day I walk past this facility on the way to work and observe how much people enjoy it. Now we know the sale and subsequent development of the old Boyd girls' school site was a necessary evil in which to use some of those funds, maybe not all, to deliver green space to the residents of Southbank and bring the community hub and park to fruition. Early work seems to have struck down the court agility and the community has had two basketball courts closed over the last two months due to developments. This means the Southbank residents need to travel to the City of Port Phillip for recreation once more. This is causing both disappointment and anger within the community.

My question is can Council provide us with an update on the timing for the construction of the new undercroft basketball court now that early works have commenced at the Boyd Park site?

Confirmed minutes

The Lord Mayor, City Transport, Infrastructure and Operations Portfolio Lead thanked Jannine for the question and provided the following response:

Negotiations with the Department of Transport are ongoing, and Council will provide an update on the timing once finalised. While those negotiations are ongoing, work on the design for the northern undercroft adjacent City Road has progressed. Council will be looking for community feedback in the new year and once we get through selection, we can return with gusto to those negotiations. It is important to note that this is owned by the Department of Transport and Council will need to get the appropriate occupation terms for the space.

ATET Nightclub

Bill Thompson asked the following question:

For just over four weeks the noise coming from ATET has made life miserable for a large number of Dockland residents. At the last FMC on 8 November, City of Melbourne staff indicated that based on measurements made, ATET were operating within prescribed noise limits. Following on from the last meeting:

- 1. What is the status of attempts to resolve this issue?*
- 2. What are the current operating limits imposed on ATET?*
- 3. Are these operating limits expected to change in the near future?*
- 4. Does Council deem ATET to be either an indoors entertainment venue or an outdoor entertainment venue?*
- 5. What are these prescribed noise limits?*
- 6. Where were these measurements made?*
- 7. Have any noise measurements been made inside representative Docklands apartments with ATET operating as a nightclub?*
- 8. Can the measurements and analysis conducted by Council be made available to Docklands residents?*
- 9. When is it expected that FMC will consider the amended Planning Permit to extend ATET trading hours to Sunday?*

The Deputy Lord Mayor, City Planning Portfolio Lead thanked Bill for the question and read out a response provided by Julian Edwards, Director Planning and Building:

Following the opening weekend, Council investigated the venue and formed the view that the noise was likely to have been excessive. Since that action, the venue is currently operating in accordance with the approved Planning Permit and associated conditions. The conditions impose restrictions on trading days and hours, the number of patrons, noise and venue management to name a few.

The noise limits are prescribed in the EPA Protocol 1826.4 and are assessed by appropriately qualified acoustic consultants. Measurements can be taken from anywhere and three key locations to the north, south and east were selected at the closest residential buildings.

Acoustic testing is not required inside of residential premises to determine if a venue is compliant with the protocols. Calculations can be different depending on the venue, type of noise and location, ambient noise and time of day. If levels are compliant outside of a building then they will be compliant inside. Council's independent peer review is not currently publicly available as it forms part of an investigation, however it confirmed that the initial acoustics assessment was suitable.

Council is continuing to explore with the operator and relevant authorities, the most appropriate response to amenity concerns including the location of the venue.

The request to amend the planning permit to include Sunday trading will be considered at the 6 December FMC meeting.

The Deputy Lord Mayor added that Councillors have made multiple site visits at late hours of the evening, and have had numerous discussions around the independent acoustics. The acoustics framework put in place is good as far as acoustics frameworks go. Council is in discussions with multiple agencies and other parties about the location of the venue.

Confirmed minutes

Public Question Time exceeded the 15 minutes provided for under the Governance Rules, and a procedural motion was considered to extend Public Question Time.

Moved: Lord Mayor Sally Capp

That the period for public questions be extended to allow the Committee to hear one further question submitted in advance of the meeting.

Seconded: Cr Griffiths

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

Safe parks and road congestion

Richard Hunt asked the following question:

Thank you for the new rock park for climbing kids. My kids love it. Can we put up signs to have no smoking, no alcohol, no glassware and no barbecues? The last time I was there, I reported issues and someone came out from local laws and wrote some things down, so it should be in your records somewhere.

Regarding the changes on City Road between Powell Street and Southbank Boulevard. You're taking away one lane of traffic in front of the BMW building, reducing traffic flow from three lanes to two lanes on an already heavily congested road. This will only cause more congestions and hold-ups. I wonder if any surveys have been done in this area and has anyone from Council driven along that area recently on a regular basis especially at peak time? It is quite horrendous. It seems some of these surveys that ask the residents' point of view has not been taken into consideration or taken seriously. To ease congestion, my suggestions is to put the trucks back into the tunnels. They go through the Burnley Tunnel and why not the other tunnel with all the big traffic. Can anything be done to rectify the situation?

The Lord Mayor, City Transport, Infrastructure and Operations Portfolio Lead thanked Richard for the question and provided the following response:

Thank you for your feedback on the park, officers will follow up on the issues raised. On the City Road masterplan with the traffic, we will take your question on notice. Council understands and agrees with many of the frustrations and will come back to you in terms of the surveys works and traffic.

6. Reports from management

The Lord Mayor advised that the following submissions had been received in accordance with the Council's Governance Rules.

Submissions/Correspondence

In relation to Agenda item 6.1, **Neighbourhood Key Issues and City of Melbourne Projects for Southbank:**

Requests to speak:

- Trisha Avery, Secretary, Southbank3006 Inc.
- David Hamilton, President, Southbank3006 Inc
- Tony Penna, President, Southbank Residents Association
- Adrian Kidd on behalf of NBL Team Melbourne United.

Items of correspondence:

- Fred De Munk
- Rhett Olle
- Sandra Mayo
- Colin Gunther
- John Mackenzie
- Tracy Allen

U n c o n f i r m e d m i n u t e s

- Karen Jemison
- Simon Thielke
- Arji Fry
- Trisha Avery
- Lee Lasaruk
- David Hamilton
- Tony Penna.

In relation to Agenda item 6.3, **Planning Permit Application: TP-2022-112 - 392 Little Collins Street, Melbourne:**

Request to speak:

- Paul Jones, Lead Signatory for the petition submission to reject application number TP-2022-112.

Items of correspondence:

- Paul Jones
- Matt Gorman.

In relation to Agenda item 6.4, **Planning Permit Application: TP-2022-19 501-527 King Street, West Melbourne:**

Requests to speak:

- Ben Porteous, Urbis
- Alex Ray, Hayball.

Items of correspondence:

- Ben Porteous
- Alex Ray
- Karl Hessian.

In relation to Agenda item 6.5, **Proposed Property Divestments:**

Requests to speak:

- Kelly Langford, Midwives and Mothers Australia
- Janet Ireland, Midwives and Mothers Australia.

Items of correspondence:

- Kelly Langford
- Janet Ireland.

In relation to Agenda item 6.7, **Governance Rules Amendment – Consideration of Community Feedback:**

Items of correspondence:

- Kelvin Thomson, Planning Democracy
- B McNicholas
- Mary-Lou Howie, Friends of Queen Victoria Market Inc.

Confirmed minutes

6.1 Neighbourhood Key Issues and City of Melbourne Projects for Southbank

The purpose of this report was to provide an overview of the Southbank neighbourhood community and upcoming key initiatives.

Cr Le Liu left the meeting at 6.46pm and returned at 6.50pm
Cr Leppert left the meeting at 7.04pm and returned at 7.05pm

The following people addressed the Committee:

- David Hamilton, President, Southbank3006 Inc
- Trisha Avery, Secretary, Southbank3006 Inc
- Tony Penna, President, Southbank Residents Association
- Adrian Kidd on behalf of NBL Team Melbourne United.

Moved: Cr Dr Ball

That the Future Melbourne Committee notes the overview of the Southbank neighbourhood community and upcoming key initiatives.

Seconded: Cr Hakim

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

6.2 MI3: Generating New Employment Opportunities for the Creative Sector

The purpose of this report was to inform Councillors of the employment challenges facing the creative sector and seek endorsement of the activities and opportunities being pursued by Council administration in response.

Moved: Cr Hakim

1. *That the Future Melbourne Committee endorses management's approach to strengthening the sustainability of the creative sector in the City of Melbourne through the following activities:*
 - 1.1. *Supporting improved digital capability via targeted programing for creative workers and access to digital infrastructure to create additional employment opportunities.*
 - 1.2. *Continuing to advocate for and broker additional creative spaces in the city via Council's Creative Spaces program acknowledging that providing development and presentation space supports employment.*
 - 1.3. *Undertaking a thorough review of Council's Arts Investment Framework with strong sector engagement to ensure investment is best placed to enable the city's creative resurgence*

Seconded: Cr Doidge

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

City Planning Portfolio

Deputy Lord Mayor Nicholas Reece assumed the role of Chair for the Committee to consider two reports from management in relation to the City Planning Portfolio.

Confirmed minutes

6.3 Planning Permit Application: TP-2022-112 - 392 Little Collins Street, Melbourne

The purpose of this report was to advise the Future Melbourne Committee of a planning permit application seeking approval for use of part of the land at 392 Little Collins Street, Melbourne for a tavern.

- Paul Jones, Lead Signatory for the petition submission to reject application number TP-2022-112 addressed the Committee.

Moved: Deputy Lord Mayor Nicholas Reece

1. *That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Permit subject to the conditions set out in the delegate report (refer to Attachment 4 of the report from management), with the following amendments:*
 - 1.1. *Insert a new condition: "Condition 9 Any music in association with the use must be limited to background music level only as defined by the Liquor Control Reform Act, to the satisfaction of the Responsible Authority." And subsequent renumbering of Conditions 9-18.*

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

6.4 Planning Permit Application: TP-2022-19 501-527 King Street, West Melbourne

The purpose of this report was to advise the Future Melbourne Committee (FMC) of a Planning Permit application seeking approval for the construction of a five-storey mixed use building on the land located at 501-527 King Street, West Melbourne.

The Lord Mayor Sally Capp declared a material conflict of interest in this matter as she received a donation in the 2018 by-election campaign from a party affected by this matter, and left the meeting at 7.56pm prior to discussion taking place.

The following people addressed the Committee:

- Ben Porteous, Urbis
- Alex Ray, Hayball.

Moved: Deputy Lord Mayor Nicholas Reece

That the Future Melbourne Committee resolves to issue a Notice of Decision to Grant a Permit subject to the conditions set out in the delegate report (refer Attachment 4 of the report from management).

Seconded: Cr Leppert

The motion was put and carried unanimously with the following Councillors present: Deputy Lord Mayor Nicholas Reece and Councillors Dr Ball, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

The Lord Mayor returned to the meeting at 8.07pm and assumed the chair for the remainder of the meeting.

6.5 Proposed Property Divestments

The purpose of this report was to consider the community feedback in relation to Council's proposal to sell four Council owned properties in accordance with section 114 of the *Local Government Act 2020*.

The following people addressed the Committee:

- Kelly Langford, Midwives and Mothers Australia
- Janet Ireland, Midwives and Mothers Australia.

Confirmed minutes

The Deputy Lord Mayor Nicholas Reece left the meeting at 8.16pm, and did not return.

Moved: Cr Le Liu

1. *That the Future Melbourne Committee recommends that Council:*
 - 1.1. *notes it has received, heard and considered the community's feedback (as noted in attachment 3 of the report from management) in relation to its proposal to sell the council owned land at:*
 - 1.1.1. *47-49 Canning Street, Carlton*
 - 1.1.2. *100-104 A'Beckett Street, Melbourne*
 - 1.1.3. *505-513 Abbotsford Street, North Melbourne*
 - 1.1.4. *30-38 Gatehouse Drive, Kensington*
 - 1.2. *commences a planning scheme amendment to rezone the land at 30-38 Gatehouse Drive, Kensington to a more appropriate zone*
 - 1.3. *finalises the statutory procedures in accordance with the Local Government Act 2020 to sell by a competitive market process, at or above a reserve established by a market valuation:*
 - 1.3.1. *47-49 Canning Street, Carlton*
 - 1.3.2. *505-513 Abbotsford Street, North Melbourne,*
 - 1.4. *finalises the statutory procedures in accordance with the Local Government Act 2020 to sell the land at 100-104 A'Beckett Street, Melbourne by competitive market process at or above a reserve established by a market valuation, yet still provide the opportunity to incorporate into the potential sale terms an incentive to provide affordable housing at the site*
 - 1.5. *enters into a two year lease with Midwives and Mothers Australia at 30-38 Gatehouse Drive, Kensington at a market rental while rezoning is considered*
 - 1.6. *notes any future proposal to sell 30-38 Gatehouse Drive, Kensington will require a new community engagement in accordance with section 114 of the Local Government Act 2020*
 - 1.7. *directs the Chief Executive Officer to apply the proceeds of sale to community infrastructure projects identified in the financial years 2022-23 and 2023-24 budget and communicate details of these projects to the community*
 - 1.8. *authorises the Director City Property to take all necessary actions and execute all necessary documents including each Contract of Sale and Vendor's Statement to implement the sale referred in paragraphs 12.3 and 12.4 above*
 - 1.9. *notes the results of the Community Engagement Process and resulting decision will be published on Participate Melbourne.*

Seconded: Cr Louey

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp, and Councillors Dr Ball, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

Confirmed minutes

6.6 Bedford Street Pocket Park Final Concept Plan

The purpose of this report was to advise Council of the community feedback received on the Bedford Street Pocket Park draft concept plan which has been used to finalise the Bedford Street Pocket Park final concept plan for approval.

Moved: Cr Leppert

1. *That the Future Melbourne Committee:*
 - 1.1. *endorses the Bedford Street Pocket Park final concept plan to proceed to finalisation of the detailed design and tender for works.*
 - 1.2. *Notes the proposed commencement of construction mid-2023.*
 - 1.3. *Authorises the General Manager Strategy, Planning and Climate Change to make any further minor changes if required to the Bedford Street Pocket Park final concept plan prior to completion of the tender process.*

Seconded: Cr Doidge

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp and Councillors Dr Ball, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

6.7 Governance Rules Amendment – Consideration of Community Feedback

The purpose of this report was to consider feedback on the proposed amendment to the Governance Rules following a period of internal and community consultation through Participate Melbourne.

Moved: Cr Leppert

1. *That the Future Melbourne Committee:*
 - 1.1. *Receives the feedback provided through the community engagement process on the proposed amendment to the Council's Governance Rules to release significant and complicated reports early, and thanks those people who have provided feedback.*
 - 1.2. *Notes a report will be presented to the Council Meeting of 13 December 2022 for consideration of adoption of the amended Governance Rules.*

Seconded: Cr Le Liu

The motion was put and carried unanimously with the following Councillors present: Lord Mayor Sally Capp and Councillors Dr Ball, Doidge, Griffiths, Hakim, Le Liu, Leppert and Louey.

7. General business

There were no items of general business.

8. Urgent business

There were no items of urgent business.

Confirmed minutes

9. Public questions

City Library Skateboard Park, free tram zone and family strategy plan

Anthony Van Der Craats asked the following questions:

My concern is the City Library skateboard park. There has been no action taken. I am concerned once summer comes around safety at the State Library is going to be a major concern. I am still traumatised every time I pass there, as the skateboarders are active on the site and out of control.

My other concern relates to the Rathdowne Street bypass. I don't think there was sufficient consultation. I think it is a bad design and bad location. No consultation was undertaken with Carlton Garden Primary School which desperately needs a plan in relation to a drop off/pick up zone. We see more congestion with less cars in the city than what I remember back in the 1970s and 1980s.

I am also concerned about the free tram zone. The Public Transport Users Association supported by the Greens wants to get rid of the free tram zone. I think we need to expand it and extend it. It is certainly a major consideration that I made in moving to the city. I think it is an excellent system available to ratepayers and residents, and I would like to ask what the Council's intentions are.

My final question is will the City develop a family strategy plan which will look at how the city provides services and planning provisions to facilitate family life?

The Lord Mayor referred to Dean Robertson, Director City Safety, Security and Amenity to provide a response:

We have been working with the State Library, who are planning to put in place some mitigations but are currently caught in some administrative procedures at the moment and have not been finalised. The City of Melbourne's infrastructure around the perimeter of the library has had the measures put in place where the infrastructure was missing at the time, including some garden beds. I will attend the site tomorrow to ensure they are still there, as they are removed every now and again.

The Lord Mayor thanked Dean for his response and advised that the Rathdowne Street question will be taken on notice, including a response to what consultation has been done with the primary school. The Lord Mayor noted that the free tram zone is another contentious issue in Council's Transport Strategy, which includes a lot of high priorities to get people into active transport and make the city work better. The Lord Mayor further advised that the question about a family strategy will also be taken on notice.

Undercroft basketball court

Tony Penna asked the following question:

We have heard a lot about the basketball court and the impact it will have in Southbank when it is gone. We know the original plan was for the undercroft to have been completed before the developer came in, and it would have transitioned across to them. I notice around Southbank there are a lot of empty blocks that were being bought by developers with planning applications approved in most cases. Could Councillors talk to some of those owners to ask if we can temporarily use the space for however long it might take to create a court in the undercroft? Melbourne Square could be a good location.

The Lord Mayor thanked Tony for the question and noted that all Councillors consider the basketball court a priority. The Lord Mayor advised that Tony's suggestions will be included in deliberations.

10. Closure of meeting

The Lord Mayor declared the meeting closed at 8.45pm.

Confirmed at the meeting of the Future Melbourne Committee on Tuesday 6 December 2022.


Chair
Future Melbourne Committee

